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10/668,838

09/23/2003

Michael Chaves

11347

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01/12/2009

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EXAMINER

PYO, MONICA M

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/668,838	Applicant(s) CHAVES ET AL.	
	Examiner MONICA M. PYO	Art Unit 2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 October 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 8-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 8-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. This communication is responsive to the Amendment filed 10/13/2008.
2. Claims 8-24 are currently pending in this application. Claims 8, 15 and 21 are independent claims. In the Amendment filed 10/13/2008, claims 8, 15 and 21 are amended. This action is made Final.

Claim Rejections - 35 USC § 112

3. The claim amendment received on 10/13/2008. The changes are acknowledged and therefore, the 35 U.S.C. 112, first paragraph rejections made in a prior Office Action are withdrawn.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 8-12, 15-18 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 7,003,730 issued to Dettinger et al. (hereinafter Dettinger) in view of U.S. Patent No. 5,895,465 issued to Guha (hereinafter Guha).

Regarding Claims 8, 15 and 21, Dettinger discloses a method for providing a search query, comprising:

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A). providing an Application Programming Interface (API) for receiving a search constraint and a control field identifier, as a graphical user interface receiving search queries with field specifications (Dittinger: col. 4, lns. 23-40; col. 6, lns. 32-57; col. 9, lns. 24-38; col. 9, table 1); and

B). providing a search generating module interfaced to the API (i.e., GUI) for automatically generating a search query from the search constraint and the control field identifier (i.e., queries issued by the application 240 may be generated in response to user input), **wherein the search constraint defines an operand and an operator for the search query being generated** (i.e., plurality of field specifications) **and wherein a control field defines a control field of a data store from which search results obtained from executing the search query are to be filtered via join or merge** (i.e., the Concrete Query Contribution generated for the current field is added to a Concrete Query Statement) **and the control field identifier is separate and apart from the search constraint** (i.e., field specification with a logical field name and an associated access method) **and the control field identified by the control field identifier is further used as a modified search** (i.e., changed search query with added conditions) **to filter the search results for identical values of the control field**, as the refreshed or updated GUI shows all three added query conditions each of which were added by the user (Dittinger: col. 6, lns. 14-31; col. 7, lns. 50-col. 8, lns. 5; col. 9, lns. 24-38; col. 10, lns. 24-col. 11, lns. 18; col. 13, lns. 26-46; col. 16, lns. 48-59; figs. 3A, 3B & 4).

C). wherein when the search query is executed records from the data store are returned representing data store records that satisfy the search constraint and have identical values for the control field identifier for each customer identification value, as

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query to return a firstname and lastname to meet search constraint and a specific name search result (Dettinger: col. 16, lns. 3-29, col. 17, lns. 34-42; col. 18, table III).

Although Dettinger discloses the system performing a searching by adding a current field into a Concrete Query Statement (Dettinger: col. 9, lns. 66-col. 11, lns. 18; fig. 4), Dettinger does not explicitly disclose the system in performing a searching join or merge operation, however such a feature is very well known in the art as disclosed in Guha (Guha: col. 5, lns. 39-60; col. 7, lns. 19-27) and it would have been obvious to one of ordinary skill in the art at the time of invention to modify the teachings of Guha in the system of Dettinger in view of improving the efficiency of the searching system.

Regarding Claim 9, Dettinger and Guha disclose the method further comprising providing a command option within the API to manually execute the search query (Dettinger: col. 17, lns. 34-42; col. 18, lns. 2-21).

Regarding Claim 10, Dettinger and Guha disclose the method further comprising presenting the records when the command option is selected (Dettinger: col. 17, lns. 34-65).

Regarding Claim 11, Dettinger and Guha disclose the method wherein the providing of the search generating module further includes interfacing the API to the search generating module over a network (Dettinger: col. 4, lns. 43-52; col. 6, lns. 13-31).

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Regarding Claim 12, Dettinger and Guha disclose the method wherein the providing the API further includes interfacing the API to one or more automated applications (Dettinger: col. 5, lns. 56-col. 6, lns. 31).

Regarding Claim 16, Dettinger and Guha disclose the system wherein the search query interface includes a Graphical User Interface (GUI) application for receiving the search constraint and the control field identifier and an Application Programming Interface (API) that interfaces the GUI application to the search generating module (Dettinger: col. 4, lns. 43-52; col. 6, lns. 13-31; col. 7, lns. 50-col. 8, lns. 5; col. 16, lns. 3-29, col. 17, lns. 34-42; col. 18, table III).

Regarding Claim 17, Dettinger and Guha disclose the system wherein the search generating module automatically executes the search query and presents the records to the search query interface (Dettinger: col. 4, lns. 23-36 & 43-52; col. 6, lns. 13-31; col. 17, lns. 34-65).

Regarding Claim 18, Dettinger and Guha disclose the system wherein the search generating module executes the search query and presents the records to the search query interface when instructed to do so by the search query interface (Dettinger: col. 4, lns. 23-36 & 43-52; col. 6, lns. 13-31; col. 17, lns. 34-65).

6. Claims 13 and 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dettinger in view of Guha, as applied to claims 8-12, 15-18 and 21 above, further in view of U.S. Patent No. 5,948,040 issued to DeLorme et al. (hereinafter DeLorme).

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Regarding Claim 13, Dettinger and Guha do not explicitly disclose the method further comprising interfacing the records automatically after the search query is executed a marketing campaign module, however such a feature is well known in the art as disclosed in DeLorme (DeLorme: col. 31, lns. 16-41; col. 64, lns. 56-col. 65, lns. 13 - as a marketing online advertisement) and it would have obvious to one of ordinary skill in the art at the time of invention to modify the teachings of DeLorme in the systems of Dettinger and Guha in view of improving the efficiency of the searching system.

Regarding Claim 22, Dettinger and Guha do not explicitly disclose the system wherein the system is interfaced to a customer segmentation module, however such a feature is well known in the art as disclosed in DeLorme (DeLorme: col. 9, lns. 65-col. 10, lns. 9; col. 33, lns. 30-52) and it would have obvious to one of ordinary skill in the art at the time of invention to modify the teachings of DeLorme in the systems of Dettinger and Guha in view of improving the efficiency of the searching system.

Regarding Claim 23, Although Dettinger and Guha disclose the system wherein the system is used an instance of the search constraint and wherein the control filed identifier (Dettinger: col. 16, lns. 3-29, col. 17, lns. 34-42; col. 18, table III), Dettinger and Guha do not explicitly disclose the feature of generating a travel customer segmentation population based on a marketing campaign's search constraint representing is a trip identifier. However, such a feature is well known in the art as disclosed in DeLorme discloses (DeLorme: col. 9, lns. 65-col. 10, lns. 9; cols. 64, lns. 56-col. 65, lns. 13) and it would have obvious to one of ordinary skill in the art at the

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time of invention to modify the teachings of DeLorme in the systems of Dettinger and Guha in view of improving the efficiency of the searching system.

Regarding Claim 24, Dettinger and Guha and DeLorme disclose the system wherein the marketing campaign's search constraint includes at least one of a hotel stay constraint, a rental car constraint, a destination constraint, and a layover constraint (Dettinger: col. 4, lns. 23-40; col. 6, lns. 32-57) and (DeLorme: col. 14, lns. 24-35).

7. Claims 14 and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dettinger in view of Guha, as applied to claims 8-12, 15-18 and 21 above, further in view of U.S. Patent No. 6,334,131 issued to Chakraburti et al. (hereinafter Chakraburti).

Regarding Claims 14 and 19, Although Dettinger and Guha disclose the method further comprising the search constraint (Dettinger: col. 4, lns. 23-40; col. 6, lns. 32-57), Dettinger and Guha do not explicitly disclose the feature of generating hierarchies from portions of the records when the search query is executed, wherein each hierarchy represents an aspect. However, such a feature is well known in the art as disclosed in Chakraburti (Chakraburti: col. 9, lns. 65- col. 10, lns. 15 - as directing the search to the relevant section) and it would have obvious to one of ordinary skill in the art at the time of invention to modify the teachings of Chakraburti in the systems of Dettinger and Guha in view of improving the efficiency of the searching system.

Regarding Claim 20, Dettinger and Guha and Chakraborti disclose the wherein the hierarchies are linked to fields in the data store and can be activated from the search query interface to present different views of the hierarchies (Dettinger: col. 4, lns. 23-40; col. 6, lns. 32-57) & (Chakraborti: col. 9, lns. 65-col. 10, lns. 15 & 20-33).

Response to Arguments

8. Applicant's arguments filed 10/13/2008 have been fully considered but they are not persuasive.

Applicant argues that Dettinger in view of Guha do not disclose the feature of "the control field is used as a filter and second search on the original search results to perform a join or a merge that is then used to look for identical values appearing in the search results for the control field." However, the Examiner disagrees. The features upon which applicant relies (i.e., "the control field is used as a filter" and "second search on the original search results to perform a join or a merge" <Remarks: pg. 6, [§ 103 Rejection of the Claims]>) are not recited in the claims. It should be noted that although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. As explained in the rejection above, Dettinger (Dettinger: col. 9, lns. 66-col. 11, lns. 18; fig. 4) in view of Guha (Guha: col. 5, lns. 39-60; col. 7, lns. 19-27) teaches the system performing a searching join or merge operation. Thus, this argument on which applicant relies is not claimed and therefore is irrelevant.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MONICA M. PYO whose telephone number is (571)272-8192. The examiner can normally be reached on Mon & Thur 7:00 - 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu Mofiz can be reached on 571-272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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